IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 17054 of 2006

Dated 13th February, 2007

Between

Kotaru Naga Priya

…Petitioner

and

Dr.NTR University of Health Sciences,
AP,Vijayawada, Krishna District,
Rep. By its Registrar, and, ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 17054 of 2006

ORDER:

In this Writ Petition, the petitioner seeks Writ of Mandamus, to declare the action of the first and second respondents in placing the petitioner at Serial No.3 while placing the respondents 3 and 4 at Serial Nos. 1 and 2 in the priority list of NCC candidates for admission to MBBS course for the academic year 2006-2007 as illegal and arbitrary.

It is the case of the petitioner that she has applied for admission to MBBS course for the academic year 2006-2007, in the

quota reserved for NCC candidates. It is stated that the petitioner had participated in the Republic Day Parade and she is the 'B' Certificate holder, whereas respondents 3 and 4 are only 'A' Certificate holders, and, as such, the petitioner is entitle for priority over the third and fourth respondents for admission to MBBS course. It is also stated that during the counseling, at the first instance, though the petitioner's name was announced as priority holder over the third and fourth respondents, but subsequently it was changed.

Counter affidavits are filed by all the respondents. While denying the allegations of the petitioner, it is stated that all the three candidates at Serial Nos. 1,2 and 3 are possessing same qualification in NCC, i.e., all of the them had participated in Republic Day Camp and they are possessing 'B' Certificates. It is stated that in view of the tie between the petitioner and respondents 3 and 4, the respondents have gone by EAMCET ranks as per the Rules. It is further stated that the petitioner secured rank of 43557, whereas third and fourth respondents secured ranks of 15785 and 24344 respectively in the entrance examination. Along with the counter affidavits, the respondents have also filed G.O.Ms.No. 186, dated 31-5-2002 issued by the Government of Andhra Pradesh, wherein, priorities for selection of candidates under NCC quota were prescribed. As per the said G.O., the candidates who have participated in Republic Day Parade Camp will be given only one priority, i.e. Priority II (i). In that view of the matter, as much as it is stated in the counter affidavits that all the candidates are possessing 'B' Certificates, they are all to be categorized under Priority-II(i) as per G.OP.Ms.No. 186, dated 31-5-2002. As much as the respondents 2 and 3 secured better ranks than the petitioner, they were placed above the petitioner. In that view of the

matter, I do not find any illegality in placing the respondents 3 and 4 above the petitioner for admission to MBBS course, which warrants interference in this Writ Petition.

The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 13-02-2007.
Msnr.